

JAN 26 2011

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

HORMANN *et al.*

Patent. No.: 7,304,162

Issued: December 4, 2007

For: Oxadiazoline Ligands For  
Modulating The Expression of  
Exogenous Genes Via An Ecdysone  
Receptor Complex

Confirmation No.: 7816

Art Unit: 1626

Examiner: Stockton, Laura L.

Atty. Docket: 2584.0300001/RWE/MFG

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OFFICE OF PETITIONS

**Correction of Entity Status Under 37 C.F.R. § 1.28(c)  
When Small Entity Status Was Established in Error and  
Payment of Fees Under 37 C.F.R. § 1.28(c)(2)**Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

While small entity status was properly established in the above-captioned patent when the application was filed, it has now been discovered that small entity status was not applicable at the time the issue fee was paid, and proper notification was not provided to the U.S. Patent and Trademark Office. Thus, the issue fee was erroneously paid as a small entity.

Patentees wish to correct the entity status of this patent and to pay the fee deficiency at this time.

The deficiency owed is calculated as follows:

	<u>Type of Fee</u>	<u>Fee Paid</u>	<u>Date Paid</u>	<u>Fee Owed</u>	<u>Difference</u>
1.	Issuance Fee	\$720	10/23/2007	\$1,510	\$790
2.	Publication fee	\$300	10/23/2007	\$300	0
					----- \$790

**Total Owed:**

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HORMANN *et al.*  
Patent No. 7,304,162

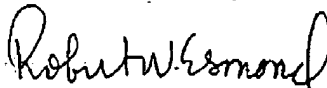
Payment of this fee deficiency based on a previous erroneous payment of a small entity fee is to be treated under 37 C.F.R. § 1.27(g)(2) as a notification of loss of entitlement to small entity status. (37 C.F.R. § 1.28(d)).

The undersigned respectfully requests that the United States Patent and Trademark Office excuse this error and correct the entity status to be that of a large entity. Early notice to this effect is respectfully requested.

The Commissioner is authorized to charge any deficiencies or credit any overpayments to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond  
Attorney for Patentees  
Registration No. 32,893

Date: January 26, 2011

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

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